

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6322

BILL NUMBER: HB 1043

DATE PREPARED: Nov 16, 1998

BILL AMENDED:

SUBJECT: Sexual offenses against a child.

FISCAL ANALYST: Mark Bucherl

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes child seduction a Class B felony instead of a Class D felony. It also provides that a prosecution for sexual misconduct with a minor, if it is committed by a person who is at least 21 years of age, may be commenced during any period before the alleged victim of the offense reaches 31 years of age. (Currently, the statute of limitations for sexual misconduct with a minor is five years, regardless of the age of the defendant.) The bill also makes a technical correction.

Effective Date: July 1, 1999.

Explanation of State Expenditures: This bill may allow more prosecutions for sexual misconduct with a minor by increasing the statute of limitations. It may also increase state expenditures for future child seduction offenders if they are incarcerated in DOC facilities for a longer period of time. A Class D felony is punishable by a prison term ranging between 6 months to 3 years or reduction to Class A misdemeanor, depending upon mitigating and aggravating circumstances.

A Class B felony is punishable by a prison term ranging from 6 to 20 years. The average expenditure to house an adult offender was \$20,500 in FY 97. Individual facility expenditures range from \$11,000 to \$27,000. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually or \$5 daily per prisoner. The average length of stay in DOC facilities for all Class B felony offenders is approximately three years, two months. The average length of stay in DOC facilities for all Class D felony offenders is approximately seven months.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class D or B felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for Class D and Class B are both \$120.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs Association, Department of Correction.